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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ANITA HUNTER, an individual;)	Case No. C 09-02079 JW
)	
Plaintiffs,)	Assigned to: Honorable James Ware
)	
vs.)	STIPULATION AND [PROPOSED] ORDER
)	EXCUSING DEFENDANT CITIBANK, N.A.
CITIBANK, N.A., a Nevada Corporation; et)	FROM RESPONDING TO OR
al.,)	ANSWERING THE THIRD AMENDED
)	COMPLAINT
Defendants.)	

1 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel,
2 that

3 WHEREAS Plaintiffs and Defendant Citibank, N.A. ("Citibank") (collectively the "parties")
4 have reached a settlement, have executed a term sheet, and are finalizing a settlement agreement;

5 WHEREAS the allegations against Defendant Citibank in the Third Amended Complaint
6 were included to facilitate the dismissals and releases relating to the settlement and to preserve the
7 parties' rights in the event the settlement is not consummated or becomes null and void;

8 Defendant Citibank is THEREFORE excused from responding to or answering the Third
9 Amended Complaint. A proposed order is attached.

10
11 DATED: September 27, 2010

12 SIDLEY AUSTIN LLP

13
14 By: /s/ Kevin M. Fee

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DATED: September 27, 2010

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ATTESTATION CLAUSE

I, Kevin M. Fee, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER EXCUSING DEFENDANT CITIBANK, N.A. FROM RESPONDING TO OR ANSWERING THE THIRD AMENDED COMPLAINT. In compliance with General Order 45, X.B., I hereby attest that Michael P. Denver has concurred in this filing.

DATED: September 27, 2010

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NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ANITA HUNTER, an individual; et al.,

Plaintiffs,

vs.

CITIBANK, N.A., a Nevada Corporation; et al.,

Defendants.

Case No. C 09-02079 JW


Assigned to: Honorable James Ware

[Proposed] **ORDER EXCUSING
DEFENDANT CITIBANK, N.A. FROM
RESPONDING TO OR ANSWERING THE
THIRD AMENDED COMPLAINT**

The Court, after considering the Stipulation Excusing Defendant Citibank, N.A. From Responding To Or Answering The Third Amended Complaint, hereby **ORDERS** that Defendant Citibank, N.A. is excused from responding to or answering the Third Amended Complaint.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 28, 2010


Honorable James Ware
United States District Judge